

Patent  
Attorney Docket No. 892,280-147

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**CAVALERI et al.**

**Serial No.: Not yet assigned**

Filed: Submitted herewith

For: METHODS OF ADMINISTERING  
DALBAVANCIN FOR TREATMENT  
OF SKIN AND SOFT TISSUE  
INFECTIONS

Group Art Unit: Not yet assigned

INFORMATION DISCLOSURE STATEMENT

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97–1.98, information relating to the above-identified application is hereby disclosed. The accompanying Form PTO-1449 provides a listing of documents that may be relevant to the subject application.

It is requested that the Examiner fully consider the art cited in the accompanying Form 1449, initial the left-most column of the form adjacent each cited reference, and return a copy for Applicants' records. It is further requested that the art be cited on the cover of any patent issuing from the subject application.

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450.

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April 16, 2004  
Date of Deposit

*Cynthia B. Pacheco*  
Cynthia B. Pacheco

Patent  
Attorney Docket No. 892,280-147

In accordance with §1.97(b), this Information Disclosure Statement is being filed within three months of the filing date of the above-identified application, and therefore no fee is required.

In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the Patent and Trademark Office in one or more of the prior U.S. Application Serial No. 10/714,261, filed November 14, 2003, which claims the benefit of U.S. Provisional Patent Application Serial Nos. 60/427,654, filed November 18, 2002, 60/485,694, filed July 8, 2003, 60/495,048, filed August 13, 2003, and 60/496,483, filed August 19, 2003, by CAVALERI, et al. for which a claim for priority under 35 U.S.C. §120 has been made in the instant application. Accordingly, Applicants will provide duplicate copies in respect of the present case only if the Examiner so desires.

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This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made. Nor does this statement constitute an admission by Applicants or Applicants' agent that the information provided herein is necessarily prior art to Applicants' invention. Moreover, Applicants reserve the right to establish the patentability of the claimed invention over any of the listed documents should they be applied there-against as references. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: April 16, 2004

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<p>Form PTO-1449  INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i></p>	Docket No. 892,280-147		Application No.: Not Yet Assigned
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U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	03/25/1980	4,195,079	Celmer et al.			
	2.	12/16/1980	4,239,751	Coronelli et al.			
	3.	09/17/1985	4,542,018	Borghi et al.			
	4.	04/28/1987	4,661,470	Malabarba et al.			
	5.	11/01/1988	4,782,042	Selva et al.			
	6.	09/19/1989	4,868,171	Selva et al.			
	7.	11/21/1989	4,882,313	Sitrin			
	8.	04/03/1990	4,914,187	Malabarba et al.			
	9.	06/19/1990	4,935,238	Selva et al.			
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	23.	05/07/2002	6,384,013	Burkhardt et al.			

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### FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES      NO
	24.	02/16/1983	EP 0 071 970	Europe			
	25.	11/30/1983	EP 0 095 154	Europe			
	26.	04/16/1986	EP 0 177 882	Europe			
	27.	12/10/1986	EP 0 204 179	Europe			
	28.	07/08/1987	EP 0 228 015	Europe			
	29.	10/14/1987	EP 0 240 609	Europe			
	30.	03/16/1988	EP 0 259 781	Europe			
	31.	02/01/1989	EP 0 301 785	Europe			
	32.	05/24/1989	EP 0 316 712	Europe			
	33.	07/04/1990	EP 0 376 041	Europe			
	34.	02/03/1993	EP 0 525 499	Europe			
	35.	10/15/1997	EP 0 801 075	Europe			
	36.	07/28/1999	EP 0 931 834	Europe			
	37.	12/21/1983	GB 2 121 401	Great Britain			
	38.	02/15/1984	GB 2 142 234	Great Britain			
	39.	02/01/1989	JP 1050900	Japan			Abstract
	40.	04/21/1988	WO 88/02755	WIPO			
	41.	10/04/1990	WO 90/11300	WIPO			

### OTHER DOCUMENTS

*(including author, title, Date, Pertinent Pages, Etc.)*

Examiner Initials	Ref. No.	Title
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60.	Cavaleri, M. et al. (2002). "Protein Binding of Dalbavancin Using Isothermal Titration Microcalorimetry," <i>42nd ICAAC Abstracts</i> , San Diego, CA, September 27-30, 2002. Abstract No. A-1385, pg. 18.
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